

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LOGAN PAUL

Plaintiff,

v.

STEPHEN FINDEISEN and COFFEE
BREAK PRODUCTIONS, LLC,

Defendants.

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Civil Action No. 5:24-CV-00717

**DEFENDANTS' OPPOSED MOTION FOR EXPEDITED HEARING ON
DEFENDANTS' MOTION TO STAY DISCOVERY PENDING A RULING ON
THEIR MOTION FOR JUDGMENT ON THE PLEADINGS**

TO THE HONORABLE COURT:

Defendants Stephen Findeisen and Coffee Break Productions, LLC (collectively, "**Coffeezilla**") bring this Motion for Expedited Hearing on their Motion to Stay Discovery (ECF No. 46) pending a ruling on their Motion for Judgment on the Pleadings (ECF No. 41), and in support respectfully show:

BACKGROUND

Several discovery-related and non-dispositive motions filed by Plaintiff Logan Paul are currently pending before the Court. *See* ECF Nos. 26, 36, 42.

The Court set a motion hearing for 1:30 p.m. on March 24, 2025, during which it intends to consider the motions. *See* Text Order of February 5, 2025 (setting hearing to consider ECF No. 26); ECF No. 38 (adding ECF No. 36 to hearing); and ECF No. 47 (adding ECF Nos. 42 and 46 to the hearing).

Coffeezilla filed a Motion for Judgment on the Pleadings (ECF No. 41) and subsequently filed a Motion to Stay Discovery (ECF No. 46) pending the Court's ruling on its Motion for Judgment on the Pleadings.

The Court added Coffeezilla's Motion to Stay Discovery to the hearing it previously set on Plaintiff's motions for March 24, 2025. *See* ECF No. 47. Unfortunately, the Court's consideration of Coffeezilla's Motion to Stay on March 24, 2025 will come after several previously scheduled, costly discovery matters.

As indicated in Coffeezilla's Motion to Stay, the parties have scheduled depositions of non-parties for March 7, 2025 (in New Jersey) and March 18, 2025 (in Ohio), which will require counsel and the parties to incur substantial fees and costs in preparation and travel. Coffeezilla's expert reports are due on March 18, 2025. Additionally, because a discovery-related motion is set on the same day as the Motion to Stay, the parties (and the Court) will have to spend resources preparing for a hearing that will be rendered wholly unnecessary if the Court grants Coffeezilla's Motion for Judgment on the Pleadings.

Accordingly, the best use of the parties' and the Court's judicial resources is to defer ruling on the discoverability of Defendants' constitutionally and statutorily protected communications and to abate all discovery and discovery-related hearings until after the Court has determined whether Paul's case will survive the Motion for Judgment on the Pleadings.

Given the timing of the parties' previously scheduled discovery, Coffeezilla respectfully requests the Court schedule, on an expedited basis, a hearing to consider its Motion to Stay, ideally this week or early next week before the scheduled out-of-town

deposition on March 7, 2025. Coffeezilla would be amenable to a zoom hearing if that would be most convenient for the Court.

Coffeezilla brings this request in the interest of judicial economy and not for the purpose of delay.

Paul would not be prejudiced by an expedited setting because he already responded to Coffeezilla's Motion to Stay Discovery. *See* ECF No. 49. Furthermore, because the Motion for Judgment on the Pleadings will be fully briefed in three weeks, any delay caused by a stay will be minimal and certainly not prejudicial to Paul.

REQUESTED RELIEF

For these reasons, Defendants respectfully request the Court grant this motion and schedule an expedited hearing to consider Defendants' Motion to Stay Discovery, ideally this week or early next week before March 7, 2025. Defendants further request all other relief at law or in equity to which they are entitled.

Dated: February 25, 2025.

Respectfully submitted,

DAVIS & SANTOS, PLLC

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*Attorneys for Defendants Stephen Findeisen
and Coffee Break Productions, LLC*

CERTIFICATE OF CONFERENCE

I certify that on February 25, 2025, I conferred with counsel for Logan Paul regarding the relief requested in this motion for expedited hearing. Counsel for Logan Paul has indicated that they are opposed to this motion.

By: /s/Caroline Newman Small
Caroline Newman Small

CERTIFICATE OF SERVICE

I certify that on February 25, 2025, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

By: /s/Caroline Newman Small
Caroline Newman Small